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Attorneys for The Northern Trust Company

**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION**

LONNIE REIVER, *et al.*,  
 Plaintiff,  
 v.  
 3COM, *et al.*,  
 Defendant.

\_\_\_\_\_  
 NORTHERN TRUST INVESTMENTS,  
 INC.,  
 Plaintiff,  
 v.  
 GILARDI & COMPANY, LLC, *et al.*,  
 Defendants.

Case No. C-03-0169 JSW and  
 Case No. C-03-03456 JSW

**STIPULATION AND ~~[PROPOSED]~~  
 ORDER CLOSING THE REIVER V.  
 3COM FILE**

The Honorable Jeffrey S. White

On February 23, 2001, a final judgment ("Final Judgment") was entered in *Reiver, et al. v. 3Com, et al.*, No. 03-0169 (JSW) (the "3Com Class Action"). The matter has been before the Court on a post-judgment dispute (the "Claims Dispute") concerning the administration of the settlement in the 3Com Class Action. The Court's December 3, 2004 Order ("Approval Order") dismissed the Claims Dispute with prejudice as part of the Court's approval of its resolution. The parties are agreed that the matter is fully completed and that the Court may close its file on the matter, subject to the reservation of jurisdiction reflected in paragraph 21 of the Approval Order and on page 3 of the Final Judgment previously entered.

Dated: August 16, 2005

MAYER, BROWN, ROWE & MAW LLP

/s/ Howard J. Roin

Howard J. Roin

Attorneys for The Northern Trust Company

Dated: August 16, 2005

SHARTSIS, FRIESE & GINSBURG LLP

/s/ Robert E. Schaberg

Robert E. Schaberg

Attorneys for Milberg Weiss Bershad Hynes & Lerach LLP

Dated: August 16, 2005

HOWARD, RICE, NEMEROVSKI, CANADY,  
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/s/ Bernard A. Burk

Bernard A. Burk

Attorneys for Bernstein Litowitz Berger & Grossmann LLP; Kaplan Fox & Kilsheimer LLP; and Barrack, Rodos & Bacine

Dated: August 16, 2005

LEWIS, BRISBOIS, BISGAARD & SMITH, LLP

/s/ Robert A. Wooten

Robert A. Wooten

Attorneys for Gilardi & Company, LLC

Filer's Attestation: Pursuant to General Order No. 45, Section X(B), Shirish Gupta hereby attests that the signatories' concurrence in the filing of this document have been obtained.

**[PROPOSED] ORDER**

Pursuant to Stipulation, **IT IS SO ORDERED.**

The clerk is directed to close the file in *Reiver, et al. v. 3Com, et al.*, No. 03-0169 (JSW), subject to the Court's retention of jurisdiction as previously set forth in paragraph 21 of the Court's December 3, 2004 Order and on page 3 of the Final Judgment.

Dated: August 17, 2005

  
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Hon. Jeffrey S. White  
United States District Court